

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : N/A Confirmation No. : N/A
Applicant : FRANZ-JOSEF WETZEL, et al.
Filed : DECEMBER 12, 2003
TC/A.U. : N/A
Examiner : N/A
Docket No. : 080437.52814US
Customer No. : 23911
Title : FUEL CELL AND METHOD FOR PRODUCING SUCH A
FUEL CELL

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.97 and 1.98**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

December 12, 2003

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

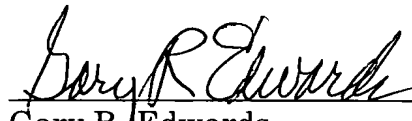
In compliance with the concise explanation requirement under 37 CFR §1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a corresponding foreign Search Report citing such documents, together with an

English-language version (if not already included) of that portion of the Search Report indicating the degree of relevance found by the foreign office.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action or Notice of Allowance (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement under 37 CFR §1.97(e). No fee under 37 CFR §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gary R. Edwards", is written over a horizontal line.

Gary R. Edwards

Registration No. 31,824

CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202- 628-8844)
GRE:kms

2100957

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	N/A	
			Filing Date	DECEMBER 12, 2003	
			First Named Inventor	FRANZ-JOSEF WETZEL et al	
			Art Unit	N/A	
			Examiner Name	N/A	
Sheet	1	of	1	Attorney Docket Number	080437.52814US

U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-	6,060,190	05/09/2000	Campbell et al	
	AB	US-	6,037,072	03/14/2000	Wilson et al	
	AC	US-	6,007,933	12/28/1999	Jones	
		US-				
		US-				
		US-				
		US-				

FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ² --Number ⁴ --Kind Code ⁵ (if known)				
	AD	WO 00/39363	07/06/2000	Proton Energy Systems		
	AE	DE 195 17 443 A1	05/12/1995	MTU Motoren-und Turbinen-Union		
	AF	EP 0 410 159 A1	06/29/1990	Asea Brown Boveri AG		
	AG	EP 0 432 381 A1	09/12/1990	Asea Brown Boveri AG		
	AH	DE 196 49 457 C1	11/28/1996	Siemens AG		
	AI	WO 00/76015 A1	12/14/2000	Ceramic Fuel Cells Limited		
	AJ	DE 40 16 157 A1	05/19/1990	Asea Brown Boveri AG		
	AK	DE 43 40 153 C1	11/25/1993	Solentec Gesellschaft ...		
	AL	DE 42 06 490 A1	03/02/1992	Fraunhofer-Gesellschaft		
	AM	GB 1,190,844	04/11/1967	Harold Haskell Webber		
	AN	DE 196 39 517 A1	09/26/1996	Winkler, Wolfgang, Prof.		
	AO	DE 39 22 673 A1	07/10/1989	Siemens AG		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.